

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3 and 5-7 are pending, Claims 4, and 8-23 having been canceled without prejudice or disclaimer and Claims 1-3 and 5-7 having been amended by way of the present amendment. Claims 4, 8 and 9 have been canceled without prejudice or disclaimer and Claims 3 and 7 have been amended consistent with 35 U.S.C. § 101. However, if the Examiner disagrees the Examiner is invited to telephone the undersigned to that mutually agreeable claim language may be identified.

In the outstanding Office Action Claims 3-4, 7-9, 12-14, 17-18 and 22-23 were rejected as being unpatentable under 35 U.S.C. § 101; Claims 1-9 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hamada (U.S. Patent No. 6,999,674); and Claims 1-23 were rejected as being unpatentable over Saeki et al. (U.S. Patent No. 7,079,757).

In response it should first be noted that Claims 10-23 have been canceled without prejudice or disclaimer and Applicants reserve the right to prosecute Claims 10-23 in one or more continuation type applications.

It appears as though the applied prior art is not relevant to the presently pending claims, perhaps because some claim terminology lead to some confusion. As a consequence, Applicants have amended Claims 1-3 and 5-7 to eliminate the confusion. In particular, amended Claim 1 is directed to means for generating one or more PlayList files that specify a sequence of reproducing information recorded on a recording medium. The means for generating also generates a management information file that supervises the one ore more PlayList files. The management information file contains a resume PlayList file name information, which indicates a name of a particluar PlayList file at a time of point of completion of playback which is based on the one ore more PlayList files. The claim also

specifies that the PlayList file contains a temporal information on the time point of completion of playback.

Non-limiting support for Claim 1 is found in the present specification. For example, the “management information file” finds support in the “info.dvr” file of Figure 15. Similarly, the “name information” corresponds to “Resume_PlayList_name” in Figure 17. Furthermore, the “temporal information” corresponds to a time mark stamp such as that shown in Figure 42 and the “resume mark” (mark type = 0x00) in Figure 43. The arrangement of the information processing apparatus as presently claimed in amended Claim 1, allows for a more easy resumption of play after a pause or partial stopping.

Hamada, describes in Figure 9 thereof, “ResumeInfo()” with merely a general description at column 8, lines 63-66. Because the “ResumeInfo()” is a “PlayList” as seen in Figure 9 for example, a player that is based on Hamada would need to check all PlayList files to know which PlayList file is the one played at last.

Comparing amended Claim 1 with Hamada, amended Claim 1 requires that the resume PlayList file name information indicate a name of a particular PlayList file at a time of point of completion of playback, and the particular PlayList file contains the temporal information on the time point of completion of playback. The resume PlayList file name information contained in the management information file that supervises all PlayList files. An advantage of this approach is that a player based on this type of system can retrieve a desired PlayList file by merely retrieving one management information file, namely “info.dvr”, in Figure 15 (as a non-limiting example). Thus it is respectfully submitted that Hamada does not disclose all the feature of Claim 1.

Although of differing statutory class and/or scope, it is respectfully submitted that Claims 2-3 and 5-7 also patentably define over Hamada for substantially the same reasons discussed above with regard to Claim 1.

With regard to Saeki, it appears as though Saeki discloses nothing regarding "ResumeInfo". Based on the discussion above regarding Claim 1 and the other pending claims, and in view of the fact that Saeki fails to disclose a "Resume PlayList File name information, or PlayList file containing the temporal information", as claimed, it is respectfully submitted that Saeki is not relevant to Claims 2-3 and 5-7, as amended.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that Claims 1-3 and 5-7 are statutory and patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)